

# **The Marriage Laws (Amendment) Act, 2003**

**[Act, No. 50 of 2003]**

**[23rd December, 2003]**

## **PREAMBLE**

*An Act further to amend the Special Marriage Act, 1954 and the Hindu Marriage Act, 1955.*

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows: --

## **CHAPTER I**

### **PRELIMINARY**

#### **1. Short title**

This Act may be called the Marriage Laws (Amendment) Act, 2003.

## **CHAPTER II**

### **AMENDMENTS TO THE SPECIAL MARRIAGE ACT, 1954**

#### **2. Amendment of section 31**

In the Special Marriage Act, 1954(43 of 1954) (hereinafter referred to as the Special Marriage Act), in section 31, in sub-section (1), after clause (iii), the following clause shall be inserted, namely: --

"(iiia) in case the wife is the petitioner, where she is residing on the date of presentation of the petition; or".

#### **3. Amendment of section 39**

In section 39 of the Special Marriage Act, in subsection (4), for the words "period of thirty days", the words "period of ninety days" shall be substituted.

## **CHAPTER III**

### **AMENDMENTS TO THE HINDU MARRIAGE ACT, 1955**

#### **4. Amendment of section 19**

In the Hindu Marriage Act, 1955 (25 of 1955) (hereinafter referred to as the Hindu Marriage Act), in section 19, in sub-section (1), after clause (iii), the following clause shall be inserted, namely: --

"(iiia) in case the wife is the petitioner, where she is residing on the date of presentation of the petition, or".

#### **5. Amendment of section 28**

In section 28 of the Hindu Marriage Act, in subsection (4), for the words "period of thirty days", the words "period of ninety days" shall be substituted.

## **CHAPTER IV**

### **MISCELLANEOUS**

#### **6. Transitory provision**

All decrees and orders made by the court in any proceedings under the Special Marriage Act or the Hindu Marriage Act shall be governed under the provisions contained in section 3 or section 5, as the case may be, as if this Act came into operation at the time of the institution of the suit:

Provided that nothing in this section shall apply to a decree or order in which the time for appealing has expired under the Special Marriage Act or the Hindu Marriage Act at the commencement of this Act.

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